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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AARON MICHAEL SHAMO,

Defendant.

Case No. 2:16-cr-631DAK

NOTICE RELATING TO EXPERT
TESTIMONY PURSUANT TO
Fed.R.Crim.Pro. 16(a)(1)(G) AND
Fed.R.Evid. 702

Judge Dale A. Kimball

The United States of America, by and through Special Assistant United States Attorney Michael Gadd, and pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure and Rule 702 of the Federal Rules of Evidence, hereby provides to the defendant the following notice relating expert testimony the United States may offer in the trial of this case. The United States hereby offers this notice regarding the potential expert testimony of Toxicologist Bill L. Posey, of Central Valley Toxicology, Inc. The summary of the testimony of this witness and the basis for his testimony is listed below.

A. Rule 16(a)(1)(G) Summary: Toxicologist Posey may offer expert testimony on the following subjects:

Drug Screen of R.K., deceased. Toxicologist Posey will testify that on or about June 23, 2016, at the request of Dr. Thomas Rogers of the San Mateo County Coroner's Office, he performed a Drug Screen on a blood sample taken from the body of R.K. He will testify that the results of that drug screen indicated the presence of 0.009 mg/L of fentanyl in the blood sample. He will testify that other substances were also detected in the deceased's blood. A copy of the Toxicologist Report is attached as Attachment A. The witness will testify in further detail as to the contents of that report.

B. Expert Qualifications: Rule 702 of the Federal Rules of Evidence provides that:

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (b) the testimony is based on sufficient facts or data;
- (c) the testimony is the product of reliable principles and methods; and
- (d) the expert has reliably applied the principles and methods to the facts of the case.¹

A copy of Toxicologist Posey's curriculum vitae (CV) is attached as Attachment B. This document establishes his qualifications to testify with regard to the above-described matters. This expert witness will testify in detail with regard to his education, training, and experience as a toxicologist.

RESPECTFULLY SUBMITTED this 26th day of November, 2018.

JOHN W. HUBER
United States Attorney

/s/Michael Gadd
MICHAEL GADD
Special Assistant United States Attorney

¹ FRE 702.